

1 THE HONORABLE MARSHA J. PECHMAN
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 THE POKÉMON COMPANY
11 INTERNATIONAL, INC., a
12 Delaware corporation,

13 Plaintiff,

14 v.

15 JANE/JOHN DOES 1–3,

16 Defendants.

No. 19-cv-1911MJP

17 DECLARATION OF HOLLY M.
18 SIMPKINS IN SUPPORT OF PLAINTIFF'S
19 MOTION TO EXTEND THE DEADLINES
20 FOR SERVICE & THE JOINT STATUS
21 REPORT

22 I, Holly M. Simpkins, declare as follows:

23 1. I am an attorney licensed to practice law before the courts of the State of
24 Washington. I am a Partner at Perkins Coie LLP, and counsel in this action for Plaintiff, The
25 Pokémon Company International, Inc. (“TPCi”). I submit this declaration in support of TPCi's
Motion to Extend the Deadlines for Service and the Joint Status Report. I have personal
knowledge of the facts stated herein and, if called upon, could and would testify competently
thereto under oath.

26 2. After the images of the Strategy Guide were leaked, TPCi investigated the
Discord servers to identify the key players, hired an outside forensic investigator to assist in its
search for the source, and used open-source search engines in an attempt to identify the leakers.

SIMPKINS DECL. ISO PLAINTIFF'S
MOTION TO EXTEND DEADLINES
(No. 2:19-cv-1911) –1

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3. Shortly after the Court granted TPCi's first motion for expedited discovery, TPCi served subpoenas on Discord, 4chan, and DimensioNz. By mid-January, TPCi had received a response to each of these subpoenas.

4. Within a few days of the Court granting TPCi's second motion for expedited discovery, TPCi had served the third-party subpoenas on Charter Communications Inc., Verizon Wireless, and Google LLC. As of the date of this declaration, TPCi has not received any responses to these subpoenas.

5. TPCi has been in communication with counsel for Doe 2 (Discord username “DimensioNz”) and Doe 3 (Discord username “Uxinator”) and anticipates resolving the case as to those defendants in the near future.

6. Although TPCi has been unable to identify WolfenX, it has learned of an email address associated with that username. TPCi will send a copy of this motion and its supporting papers to the email address for WolfenX as well as to counsel for Does 1 and 2.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed at Seattle, Washington this 6th day of February, 2020.

s/ Holly M. Simpkins
Holly M. Simpkins